

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA**  
Newport News Division – In Admiralty

**FE PARTNERS, LLC, and  
FOMENTO RESOURCES USA (LLC),**

Plaintiffs,

v.

Civil Action No: 4:16cv188

**CHESAPEAKE BOAT WORKS, LLC,  
CHESAPEAKE MARINE RAILWAY, LLC,  
JONATHAN M. FARINHOLT, and  
RICHARD L. FARINHOLT II,**

Defendants.

**PLAINTIFF FE PARTNERS LLC’S MOTION TO DISQUALIFY  
E. STANLEY MURPHY, ESQ. AND DUNTON, SIMMONS & DUNTON, L.L.P.  
AS COUNSEL FOR REBECCA D. LENGUA  
AND DEAGLE’S MARINE RAILWAY, INC. AND  
MOTION TO STRIKE MR. MURPHY’S JUNE 14, 2018 LETTER TO THE COURT**

Plaintiff, FE Partners, LLC, hereby moves the Court to disqualify E. Stanley Murphy, Esq. and the law firm of Dunton, Simmons & Dunton, L.L.P. from participating as counsel for Rebecca D. Lengua and Deagle’s Marine Railway, Inc. (“the Deagles”). Mr. Murphy and other attorneys with Dunton, Simmons & Dunton, L.L.P. have represented the Deagles since 2006. However, in 2015 and 2016, Mr. Murphy and his firm represented Plaintiff in the very matter that gave rise to this litigation. Now, Mr. Murphy and his firm have sent a letter directly to the Court, in effect acknowledging the conflict, but also representing and advocating on behalf of the Deagles, whose interests are materially adverse to those of FE Partners. Accordingly, and as further explained in the accompanying Memorandum in Support, a conflict of interest exists, and FE Partners respectfully requests the Court disqualify Mr. Murphy and his law firm from any involvement in

this matter, and to strike the June 14, 2018 letter mailed to the Court.

Respectfully submitted on June 18, 2018.

**FE PARTNERS, LLC,  
AND  
FOMENTO RESOURCES USA (LLC)**

By:       /s/      

Of Counsel

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**CERTIFICATE OF SERVICE**

I hereby certify that on June 18, 2018, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following:

Douglas A. Winegardner (VSB No. 46570)  
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*Counsel for Chesapeake Marine Railway, LLC*

I further certify I have, on this day, sent a copy of the foregoing via U.S. Mail to the following:

E. Stanley Murphy, Esq.  
Dunton, Simmons & Dunton, L.L.P.  
678 Rappahannock Drive  
White Stone, VA 22578  
*Counsel for Rebecca D. Lengua  
and Deagle's Marine Railway, Inc.*

\_\_\_\_\_  
/s/

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*Counsel for FE Partners, LLC and  
Fomento Resources USA (LLC)*